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## NOTICE OF ALLOWANCE AND FEE(S) DUE

30265 7590 01/08/2009

DAVID AND RAYMOND PATENT FIRM  
108 N. YNEZ AVE., SUITE 128  
MONTEREY PARK, CA 91754

EXAMINER

ONEILL, KARIE AMBER

ART UNIT

PAPER NUMBER

1795

DATE MAILED: 01/08/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/769,502

01/31/2004

Liqing Hu

USP2292C/SH23-HLQ

8382

TITLE OF INVENTION: INTEGRAL MULTI-STACK SYSTEM OF FUEL CELL

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	04/08/2009

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
Commissioner for Patents  
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

30265 7590 01/08/2009

**DAVID AND RAYMOND PATENT FIRM**  
108 N. YNEZ AVE., SUITE 128  
MONTEREY PARK, CA 91754

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/769,502	01/31/2004	Liqing Hu	USP2292C/SH23-HLQ	8382

TITLE OF INVENTION: INTEGRAL MULTI-STACK SYSTEM OF FUEL CELL

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	04/08/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
ONEILL, KARIE AMBER	1795	429-012000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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10/769,502	01/31/2004	Liqing Hu	USP2292C/SH23-HLQ	8382
30265	7590	01/08/2009	EXAMINER	
DAVID AND RAYMOND PATENT FIRM 108 N. YNEZ AVE., SUITE 128 MONTEREY PARK, CA 91754			ONEILL, KARIE AMBER	
			ART UNIT	PAPER NUMBER
			1795	
DATE MAILED: 01/08/2009				

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 357 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 357 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/769,502	HU ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Karie O'Neill	1795	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendments filed on September 8, 2008.
2. ☒ The allowed claim(s) is/are 20-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____     | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other ____.   |

/Mark Ruthkosky/  
Primary Examiner, Art Unit 1795

### **DETAILED ACTION**

1. The Applicant's amendment filed on September 8, 2008, was received. Claims 1-2, 5-7, 10-13 and 17-19 have been cancelled. Claims 3-4, 8-9 and 14-16 have been withdrawn from consideration. Claims 20-32 have been added as new. Therefore, Claims 20-32 are pending in this office action.

#### ***Claim Rejections - 35 USC § 112***

2. The rejection of Claim 6 under 35 U.S.C. 112, second paragraph, has been withdrawn because the claim has been cancelled.
3. The rejection of Claims 17-19 under 35 U.S.C. 112, second paragraph, has been withdrawn because the claims have been cancelled.

#### ***Claim Rejections - 35 USC § 102***

4. The rejection of Claims 1, 2, 5-7 and 10 under 35 U.S.C. 102(b) as being anticipated by Gorbett et al. (US 5,486,430) has been withdrawn because the arguments presented on pages 7-10 of the Remarks dated September 8, 2008, are persuasive.

#### ***Allowable Subject Matter***

5. Claims 20-32 are allowed.
6. The following is an examiner's statement of reasons for allowance:

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The instant claims are to an integral multi-stack system of fuel cell, comprising: a plurality of fuel cell stacks, each of which comprises a fuel inlet port, an oxidant inlet port, a coolant inlet port, a fuel outlet port, an oxidant outlet port, and a coolant outlet port which are used for fuel supplying, oxidant supplying, coolant supplying, exhausted fuel discharging, an exhausted oxidant discharging, and a coolant discharging for said stack unit respectively; and a manifolding functional frame, which comprises: a non-porous body which is provided between said fuel cell stacks for transversely and spacedly mounting said fuel cell stacks at two sides of said non-porous body, and comprises a main fuel supply passage defining a main fuel inlet at a first side of said non-porous body, a main oxidant supply passage defining a main oxidant inlet at said first side of said non-porous body, a main coolant supply passage defining a main coolant inlet at said first side of said non-porous body, a main fuel discharging passage defining a main fuel outlet at a second side of said non-porous body which is opposed to said first side, a main oxidant discharging passage defining a main oxidant outlet at said second side of said non-porous body, and a main coolant discharging passage defining a main coolant outlet at said second side of said non-porous body, wherein said main fuel supply passage, said main oxidant supply passage, said main coolant supply passage, said main fuel discharging passage, said main oxidant discharging passage, and said main coolant discharging passage are longitudinally extended along said non-porous body, wherein said non-porous body further comprises a fuel supply sub-passages communicating said fuel supply passage with each of said fuel inlet ports, an oxidant supply sub-passages communicating said main oxidant supply passage with

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each of said oxidant inlet ports, a coolant supply sub-passage communicating said main coolant supply passage with each of said coolant inlet ports, a fuel discharging sub-passage communicating said main fuel discharging passage with each of said fuel outlet ports, an oxidant discharging sub-passage communicating said main oxidant discharging passage with each of said oxidant outlet ports, and a coolant discharging sub-passage communicating said main coolant discharging passage with each of said coolant outlet ports, wherein a supply and a discharge of said fuel, oxidant and coolant are spacedly provided on two ends of said non-porous body respectively, so that for each of said fuel cell stacks, a material flow of said fuel, said oxidant and said coolant between said fuel inlet port and said fuel outlet port, said oxidant inlet port and said oxidant outlet port, and said coolant inlet port and said coolant outlet port respectively are independent from said other fuel cell stacks so as to simplify a flow network within said fuel cell and to minimize a flow impedance and energy loss thereof.

The most pertinent prior art has been presented. The prior art does not teach or render obvious the claimed invention.

For example, Gorbett et al. (US 5,486,430), does not teach or fairly suggest an integral multi-stack system of a fuel cell comprising, a plurality of fuel cell stacks, a manifold functional frame which comprises a non-porous body which is provided between said fuel cell stacks for transversely and spacedly mounting said fuel cell stacks at two sides of said non-porous body, and comprises a main fuel supply passage, a main oxidant supply passage, a main coolant supply passage, a main fuel discharging passage, a main oxidant discharging passage, and a main coolant

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discharging passage that are longitudinally extended along said non-porous body, and wherein said non-porous body further comprises a fuel supply sub-passage communicating said fuel supply passage with each of said fuel inlet ports, an oxidant supply sub-passage communicating said main oxidant supply passage with each of said oxidant inlet ports, a coolant supply sub-passage communicating said main coolant supply passage with each of said coolant inlet ports, a fuel discharging sub-passage communicating said main fuel discharging passage with each of said fuel outlet ports, an oxidant discharging sub-passage communicating said main oxidant discharging passage with each of said oxidant outlet ports, and a coolant discharging sub-passage communicating said main coolant discharging passage with each of said coolant outlet ports, wherein a supply and a discharge of said fuel, oxidant and coolant are spacedly provided on two ends of said non-porous body respectively, so that for each of said fuel cell stacks, a material flow of said fuel, said oxidant and said coolant between said fuel inlet port and said fuel outlet port, said oxidant inlet port and said oxidant outlet port, and said coolant inlet port and said coolant outlet port respectively are independent from said other fuel cell stacks so as to simplify a flow network within said fuel cell and to minimize a flow impedance and energy loss thereof.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."



***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karie O'Neill whose telephone number is (571)272-8614. The examiner can normally be reached on Monday through Friday from 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Ryan can be reached on (571) 272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mark Ruthkosky/  
Primary Examiner, Art Unit 1795

Karie O'Neill  
Examiner  
Art Unit 1795

KAO